

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Village of Chama

Subfile No. CHCV-007-0001

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting Oso Ranch and Lodge, LLC for defendant Al Unser, Jr. in these proceedings and as grounds states the following:

1. Al Unser, Jr. has conveyed his interest in the land and any appurtenant water rights under subfile CHCV-007-0001 to Oso Ranch and Lodge, LLC by deed dated August 23, 2006.
2. The water rights claims of Al Unser, Jr. with respect to the land mapped under subfile CHCV-007-0001 are still under consideration by the State.

WHEREFORE the State requests the Court to enter its order substituting Oso Ranch and Lodge, LLC for defendant Al Unser, Jr. in these proceedings.

Dated: November 28, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer

P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was mailed to the following persons this
28 day of November 2006:

Oso Ranch and Lodge, LLC
c/o Ronald C. Peterson
Heller Ehrman LLP
333 Hope Street, 39th Fl.
Los Angeles, CA 90071

and transmitted by ACE filing to the following on the same date:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla Bruner, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville